

REMARKS

Claims 1-38 and 40-60 remain pending, and are presented for examination upon entry of the instant Amendment. Claims 1, 23, and 43 are independent.

Claim Rejections, 35 U.S.C. § 102

The Office Action rejects claims 1, 23 and 43 under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Application Ser. No. 2003/0210139 by Brooks et al. ("Brooks"). Applicants are respectfully traversing this rejection.

Claim 1 provides first and second stations for capturing substantially the full audio, video, and data of first and second agent-traveler interactions along a path of a traveler, wherein the stations are located at different locations. Present claim 1 further provides an analysis device for comparing the audio, video, and data of the first and second agent-traveler interactions in order to determine, based upon a predetermined rule, a discrepancy.

Brooks provides for security system based on identification information related to the traveler. Although Brooks mentions video cameras in paragraph 45, Brooks does not teach capturing an interaction between a traveler and a personnel member, and thus does not teach analyzing the interaction. Brooks relates to the mere technical identification of the passenger and identifying discrepancies based on this identification. In paragraph 20, Brooks mentions various locations in which security can be identified or tested. However in paragraph 20, the mentioned locations include unmanned locations such as entrance or exit to the airport property, or runways. Thus, Brooks does not and cannot disclose capturing interactions between the traveler and an agent. Also, in paragraphs 48 and 49, Brooks teaches comparing technical data related to the identification of the traveler, such as biometric data, but does not teach data extracted from the interactions between the traveler and a personnel member.

Even in paragraph 37 of Brooks, which discloses capturing data related to the personnel members, the data only relate to mere identification data of the personnel, such as photo ID, and not to interactions with travelers.

This difference between Brooks and the claimed invention stems from Brooks being interested only in "technical" security information, i.e. spotting security threats related merely to the identity of a person. Brooks is agnostic of interactions, *per se*, between a person so identified and another person. The claimed invention, on the other hand, relates to capturing the interactions of the traveler with agents in at least two stations, and identifying discrepancies based on extracting data and analyzing the two interactions, and not mere identification of the traveler.

Therefore, Brooks does not disclose first and second stations for capturing substantially the full audio, video, and data of a first and a second agent-traveler interaction along a path of the traveler, and a device for comparing the audio, video, and data of the first and second interactions, as required by claim 1. Applicants respectfully request reconsideration and withdrawal of the §102 rejection of claim 1, and the passage of claim 1 to allowance.

The same arguments are in like fashion valid also in relation to the rejections of independent claims 23 and 43. In view of this, applicants respectfully request reconsideration and withdrawal of the § 102 rejections of claims 23 and 43, and the passage of claims 23 and 43 to allowance.

Claims 2-38, 40-42, and 44-54 depend from claim 1 or claim 23. By virtue at least of such dependence, Applicants submit that claims 2-38, 40-54 are patentable over Brooks. Applicants respectfully request reconsideration and withdrawal of the § 102 rejection of claims 2-38, 40-54, and the passage of claims 2-38, 40-42, and 44-54 to allowance.

Claim rejections, 35 U.S.C. § 103

The Office Action rejects claims 2-17, 19, 24-32, 34-38, 40, 42 46-47 and 54 under § 103 as being unpatentable over Brooks, in view of U.S. Patent No. 6,396,535 issued to Waters (hereinafter "Waters").

In constructing the §103 rejection of these claims, which depend either from claim 1 or 23, the Office Action reasserts the same analysis of Brooks as used to form the §102 rejection discussed *supra* with respect to the independent claims, and introduces Waters ostensibly to supply various features impliedly lacking from Brooks itself.

As discussed above with respect to the independent claims, Brooks is inoperative to disclose the features of the independent claims. Even assuming, *arguendo*, that Waters is operative to teach the additional features asserted by the Office Action, nevertheless Waters is inoperative to remedy Brooks' inability to disclose, or to teach, the features common to the independent claims and the claims depending therefrom.

Thus, Waters does not cure the deficiencies of Brooks, and moreover does not teach the capturing and analysis of full interactions between a traveler and a personnel member. Therefore, Brooks in view of Waters cannot teach claims 2-17, 19, 24-32, 34-38, 40, 42 46-47 and 54.

For at least the reason of such dependence, claims 2-17, 19, 24-32, 34-38, 40, 42 46-47 and 54 are also patentable over the cited art.

Further elements in the dependent claims not taught by the prior art references are detailed below.

Regarding **claims 10 and 19**, requiring capturing devices for audio, video and data, Waters does not teach capturing voice: Col 3 lines 48-50: "A synthesizer 250 converts the fully attributed data objects 241 to annotated graphic elements 251 and alerts 252". Further, element 240 of Waters is an object converter and not a voice capture device.

Regarding **claims 46 and 54** requiring wherein the capture device is a screen capture device: a screen capture device is not a screening device for luggage. A **screen capture** device is described in ¶0036: "*Data from computer screens may be captured in response to screen events as further*

described in the related patent applications listed above. Capturing data from computer screens is accomplished by the capturing module accessing the memory device of the computer screen and retrieving the computer screen information. Capturing computer screens can be accomplished by the NICE Universe product produced by Nice Systems Ltd. of Ra'anana, Israel. The agent's software (such as a CRM like software) will likely include fields in which the agent will insert his comments as to the traveler or fulfill important data about the traveler, such as language skills, general behavior and so forth. In addition, capturing device 226 may collect answers to various security-related questions." A screen capture device is thus not taught by Waters, alone or in combination with Brooks.

In view of the above, Applicants are respectfully requesting that the §103 rejection of claims 2-17, 19, 24-32, 34-38, 40, 42 46-47 and 54 be reconsidered and withdrawn.

The Office Action rejects claims 18, 20-22, 33, 41 and 50 under § 103 as being unpatentable over Brooks, in view of U.S. Patent No. 6,757,408 issued to Houvener (hereinafter "Houvener").

In constructing the §103 rejection of these claims, which depend from claim 1, the Office Action reasserts the same analysis of Brooks, as previously discussed. The Office Action introduces Houvener, in forming the §103 rejection of these claims, to supply various features, the absence of which from Brooks is acknowledged.

Brooks itself is inoperative to disclose the features of claim 1, from which these claims depend. Even assuming, for argument's sake, that Houvener teaches the features acknowledgedly missing from Brooks, it is nevertheless unable to remedy the inability of Brooks to disclose the features common to claim 1 and the rejected claims.

Houvener does not teach the capturing and analysis of full interactions between a traveler and a personnel member. Thus, Brooks in view of Houvener cannot teach claims 18, 20-22, 33, 41 and 50.

Claims 18 and 20-22 depend directly or indirectly from claim 1. Claims 33, 41 and 50 depend directly or indirectly from claim 23. For at least the reason of such dependence, claims 18, 20-22, 33, 41 and 50 are also patentable over the cited art.

Therefore, Applicants are respectfully requesting that the section 103 rejection of claims 18, 20-22, 33, 41 and 50 be reconsidered and withdrawn.

The Office Action rejects claim 53 under § 103 as being unpatentable over Brooks in view of Waters and in further view of Houvener.

As detailed above, neither Waters nor Houvener cure the deficiencies of Brooks, and neither teaches the capturing and analysis of full traveler-agent interactions, and thus cannot disclose claim 53. Accordingly, Applicants are respectfully requesting that the section 103 rejection of claim 53 be reconsidered and withdrawn.

The Office Action rejects claims 44-45 under § 103 as being unpatentable over Brooks, in view of Houvener and in further view of US6,507,278 to Brunetti (hereinafter "Brunetti").

Neither Houvener nor Brunetti are operative to cure the deficiencies of Brooks, and neither teaches the capturing and analysis of full traveler-agent interactions. Further, the cited combination of art fails to remedy Brooks' inability to teach claim 1, from which claims 44 and 45 depend. Therefore, Applicants are respectfully requesting that the §103 rejection of claims 44-45 be reconsidered and withdrawn.

The Office Action rejects claims 51-52 under § 103 as being unpatentable over Brooks, in view of Brunetti.

Claims 51-52 depend from claim 23. For at least the reason of such dependence, claims 51-52 are also patentable over the cited art. Brunetti does not cure the deficiencies of Brooks and does not teach capturing and analyzing the full traveler-agent interactions.

Therefore, Applicants are respectfully requesting that the section 103 rejection of claims 44-45 be reconsidered and withdrawn.

The Office Action rejects claims 48-49 under § 103 as being unpatentable over Brooks in view of Waters and in further view of US6,724,887 to Elibacher (hereinafter "Elibacher").

Elibacher is inoperative to cure the deficiencies of Brooks and Waters, previously described. Further, Elibacher does not teach capturing and analyzing the full traveler-agent interactions. In view of their dependence from claim 23 and the uncured deficiency of Brooks and Waters, even in combination with Elibacher, claims 48-49 are also patentable over the cited art.

Therefore, Applicants are respectfully requesting that the section 103 rejection of claims 48-49 be reconsidered and withdrawn.

The Office Action rejects claims 55-56 and 58-59 under § 103 as being unpatentable over Brooks, in view of US Patent Application Serial. Num. 2003/0058084 by O'Hara (hereinafter "O'Hara").

O'Hara performs a comparison of the biometric characteristics of the person who purchased the passage and the person boarding the vehicle to determine whether such persons are the same. O'Hara does not cure the deficiencies of Brooks and does not teach capturing and analyzing the full traveler-agent interactions.

Regarding claims 55 and 58, the changed item relates to a physical item such as appearance or luggage item, and not to an information item as discussed by O'Hara.

Regarding claims 56 and 59, O'Hara does not disclose assessing disparity between an item carried by said traveler, and said traveler's destination. Rather, O'Hara teaches merely asking the customer about his destination, but not assessing disparity between said destination and the traveler's carried items.

Therefore, Applicants are respectfully requesting that the section 103 rejection of claims 55-56 and 58-59 be reconsidered and withdrawn.

The Office Action rejects claims 57 and 60 under § 103 as being unpatentable over Brooks in view of US 7,084,736 to Ritter (hereinafter "Ritter").

Claim 57 depends directly from claim 1, and claim 60 depends directly from claim 23. For at least the reason of such dependence, claims 57 and 60 are also patentable over the cited art. Ritter teaches verifying access permission of a traveler using public transportation and does not cure the deficiencies of Brooks and does not teach capturing and analyzing the full traveler-agent interactions.

In addition, where Ritter relates to "appearance" the context is the biometric characteristics, such as retina or fingerprint, which is generally not considered as "appearance". "Appearance" generally and also in the context of claims 57 and 60 relates to characteristics that are noticeable by a person, and thus do not include biometric items such as retina or fingerprint.

Therefore, Applicants are respectfully requesting that the section 103 rejection of claims 57 and 60 be reconsidered and withdrawn.

In view of the above, Applicants believe that all claims are in condition for allowance, and respectfully request the withdrawal of all rejections and passage to allowance.

If for any reason the Examiner feels that consultation with Applicants/Applicant's attorney would be helpful in the advancement of the prosecution, the Examiner is invited to call the telephone number below.

Respectfully submitted,

May 6, 2009

Date

/Charles N.J. Ruggiero/

Charles N.J. Ruggiero

Reg. No. 28,468

Attorney for the Applicants

Ohlandt, Greeley, Ruggiero & Perle, L.L.P.

One Landmark Square, 10th Floor

Stamford, CT 06901-2682

Tel: 203-327-4500

Fax: 203-327-6401